

BEFORE THE STATE ENGINEER OF THE STATE OF UTAH

IN THE MATTER OF EXCHANGE )

)

MEMORANDUM DECISION

APPLICATION NUMBER E3195 (35-9685) )

Exchange Application Number E3195 (35-9685), in the name of Robert H. Wright, was filed on November 5, 1993, to exchange 1.0 acre-feet of water as evidenced by Contract with Weber Basin Water Conservancy District under 35-828 (A27609). The 1.0 acre-feet of water is to be released into Weber River and, in lieu thereof, 1.0 acre-feet of water will be diverted from a six inch well, 100 feet to 400 feet deep, located South 900 feet and West 600 feet from the E¼ Corner of Section 30, T 1S, R 5E, SLB&M, and used for the irrigation of 0.17 acre, the stockwatering of two head of livestock, and the domestic purposes of one family.

The application was advertised in The Summit County Bee from November 26, 1993, to December 10, 1993, and was not protested.

It appears that this exchange can be made provided certain precautions are observed.

It is, therefore, **ORDERED** and Exchange Application Number E3195 (35-9685) is hereby **APPROVED** subject to prior rights and the following conditions:

- 1) The basis for this exchange right is a contract between the applicant and Weber Basin Water Conservancy District. This contract must be maintained for this exchange to remain valid. No water may be withdrawn from the well if a contract is not in effect.
- 2) Total diversion under this exchange application for all uses applied for is limited to 1.0 acre-feet of water per year. These uses are limited to the irrigation of 0.17 acre, the stockwatering of two head of livestock, and the domestic purposes of one family. For the purpose of regulating this exchange, the applicant shall install a permanent totalizing meter to measure withdrawals from the well, which meter shall be available for inspection by the commissioner of the Weber River at any reasonable time.
- 3) The water being exchanged shall be released from Wanship Reservoir into Weber River as called for by the river commissioner.

This Decision is subject to the provisions of Rule R655-6-17 of the Division of Water Rights and to Sections 63-46b-13 and 73-3-14 of the Utah Code Annotated, 1953, which provide for filing either a Request for Reconsideration with the State Engineer or an appeal with the appropriate District Court. A Request for Reconsideration must be filed with the State Engineer within 20 days of the date of this Decision. However, a Request for Reconsideration is not a prerequisite

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to filing a court appeal. A court appeal must be filed within 30 days after the date of this Decision, or if a Request for Reconsideration has been filed, within 30 days after the date the Request for Reconsideration is denied. A Request for Reconsideration is considered denied when no action is taken 20 days after the Request is filed.

Dated this 26th day of April, 1994.



Robert L. Morgan, P.E., State Engineer

RLM:LFQ:mw

Mailed a copy of the foregoing Memorandum Decision this 26th day of April, 1994, to:

Robert H. Wright  
3886 Holiday Curve  
Park City, UT 84060

E. Blaine Johnson  
1615 E. Shadow Valley Drive  
Ogden, UT 84403

Weber Basin Water Conservancy District  
2837 East Highway 193  
Layton, UTAH 84040

BY:



MaClovia White, Secretary